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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

KENJI SAKAMOTO

Serial No.: 09/269,703

Filed: February 2, 2000

For: METHOD OF IDENTIFYING MISSING DOMAINS IN
RECEPTORS

Group Art Unit: 1646

Examiner: John D. Ulm

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Attorney Docket No.: IKU 0102 PUSA

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement mailed February 19, 2003, Applicant provisionally elects Group I, with traverse. Applicant respectfully requests reconsideration and withdrawal of the requirement in accordance with 37 C.F.R. § 1.143, for the reasons set forth below.

The Examiner has required restriction to one of the following inventions: Group I including claims 1 and 2; Group II including claims 3, 4 and 5; Group III including claims 6, 7, 9 and 14 as they relate to Sequence ID No. 2; Group IV including claims 6, 7, 9 and 15 as they relate to Sequence ID No. 3; and Group V including claims 8, 10, 11, 12 and 13.

Applicant respectfully requests that Groups I and II be prosecuted together as a single invention. The methods of Groups I and II are both classified in Class 435, thus an

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231 on:

April 1, 2003
Date of Deposit

Thomas W. Cunningham
Name of Person Signing


Signature

additional search would be unnecessary. Indeed, the method of Group II is limited to peptides identified by the method of claim 1.

In addition, a Restriction Requirement was already issued in this case. (See attached). Based on this initial restriction, my client submitted proposals and budgeted funds for the prosecution of these inventive entities. A further restriction at this point would unduly harm my client. In the initial restriction, Groups I and II were considered a single inventive entity.

In view of the foregoing, it is respectfully submitted that the requirement for restriction be withdrawn with regard to Groups I and II, and early action on the merits with respect to all the claims be issued.

Prompt and favorable consideration of this application is requested. If the Examiner notes any minor errors, he is invited to telephone the undersigned so that the matter can be promptly handled by Examiner's amendment.

Respectfully submitted,
KENJI SAKAMOTO

By: 

Thomas W. Cunningham
Reg. No. 48,722
Attorney for Applicant

Date: April 1, 2003

BROOKS & KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075
Phone: (248) 358-4400
Fax: (248) 358-3351